

DEPARTMENT of the INTERIOR

news release

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REMARKS OF THE HONORABLE THOMAS S. KLEPPE, SECRETARY OF THE INTERIOR,
BEFORE THE NEVADA WILDLIFE FEDERATION, RENO, NEVADA, July 26, 1976

Many Americans believe there is a conspiracy in Washington to take powers away from the states and centralize all authority in the Nation's Capital.

I'll have to admit that at times in the past I have shared this suspicion.

Recent actions of Congress and rulings of the courts have provided further cause for alarm.

One of the reasons that I wanted to speak with you today is to assure you -- the people of Nevada and the West -- that such centralization is not the policy of the Department of the Interior. It is not the policy of the Ford Administration.

It is my understanding many people are concerned about ramifications of the Supreme Court ruling on the Wild Free-Roaming Horse and Burro Act.

That ruling by unanimous opinion of the Supreme Court held that the Wild Free-Roaming Horse and Burro Act is constitutional. There is little to discuss about that issue other than to say we should all work to implement the Act and to obtain needed amendments so that it is easier to administer.

Basically, the decision is interpreted to mean the Congress has the authority to regulate and protect the wildlife on Federal public lands, State laws notwithstanding. So the question is not whether Congress can delegate wildlife functions to Federal agencies, but whether it should.

To address the wildlife issue per se, let me emphasize that it is not my intent to request any legislation that would in any way provide authority for Federal regulation of wildlife species on the public lands. The States have, and I assume will continue to, set hunting, fishing, and trapping laws and regulations which apply on those lands, except as modified by Federal legislation, such as the Endangered Species Act, the Wild Horse and Burro Act, and the Migratory Bird Treaty Act.

This does not mean that we are aborting any Federal responsibility, but that we are recognizing the level of Government that is in the best position to formulate such rules and regulations considering all public, state and private lands.

Our policy relating to the responsibilities of the Interior agencies and the States was spelled out in 1970, and it remains unchanged. These regulations encourage a maximum degree of cooperation between Federal and State employees who are carrying out their respective roles on Federal lands.

This division of responsibility has worked well for the most part, and I would not change it.

Where we have the authority to delegate our management responsibilities to the states, we are doing so as rapidly as is possible in accordance with legislation and court rulings.

The progress we are making is demonstrated by the recent signing of cooperative agreements with 11 states for the administration of endangered species programs. Four months ago at the National Wildlife Federation annual meeting in Louisville I reported on the rapid development of the endangered species program, and that has continued at an accelerated rate since April. Of all these developments, I am most pleased by the signing of these agreements with the states.

California, New Mexico and Washington are among those to sign -- and we are negotiating with several others. To qualify, the states have undertaken the arduous job of realigning their statutes to meet requirements of the Endangered Species Act, and they have designed and established field programs for endangered animals.

The benefits of the program are considerable.

For one thing, the Federal government will pump about \$2 million into the State programs. Many states will carry out expanded conservation programs. As part of the agreements, Federal and State law enforcement officers will cooperate in the detection, apprehension and prosecution of violators of the Federal and State laws guarding endangered species.

Another Federal-State cooperative effort is being made by our Department under a law known as the Sikes Act. This Act recognizes the critical need for aggressive protection and improvement programs for our western wildlife habitat resources.

While the Department has not sought appropriations under the Sikes Act, funding has been made available from other sources and progress has been made.

All eleven western States have established specific Memoranda of Understanding with the Bureau of Land Management for cooperative conservation and rehabilitation programs in implementing this legislation. We are now developing specific regulations for the programs which would simplify cooperative programs between the State agencies and the Department. Active projects include big game range rehabilitation, water developments for wildlife, and an innovative program of farming isolated tracts of national resource land to provide crops for pheasants and other wildlife species.

Recent efforts by Interior's Fish and Wildlife Service to determine critical habitats for endangered and threatened species have sparked a great deal of controversy and concern throughout the United States. This is particularly true of the grizzly bear here in the West. Much of the problems result from a lack of understanding of what critical habitat determinations mean and what their impacts are on other land uses.

Simply put, critical habitat is the air, land and/or water area that is necessary for a species to survive and recover. It is by no means an "iron curtain" that cuts off all human activity in an area inhabited by endangered or threatened species.

Critical habitats are determined in accordance with Section 7 of the Endangered Species Act of 1973. This section applies only to Federal agencies by charging them to ensure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of listed species or destroy or adversely modify their critical habitats.

Federal actions in critical habitat that would not destroy or adversely modify that habitat could be carried out. Furthermore, State and private actions are not affected by Section 7.

It is important that critical habitats be determined so that the many Federal agencies which manage lands or administer programs within these habitats will know where the areas are and be able to plan their actions and carry them out in ways that are consistent with Section 7, and more important, compatible with the needs of these vanishing species.

So far I have mentioned two programs we are implementing to increase the State responsibility in wildlife management.

Another area where we at the Department of the Interior seek greater State involvement is in the operational responsibility for predator control programs.

We are urging State wildlife management agencies and other pertinent State agencies to assume this responsibility. To encourage participation we offer grants-in-aid, training programs for State personnel, and additional technical assistance and extension services.

This is part of our effort to provide a balanced approach to resource management.

We believe that predators, like game species, have to be managed in a professional, rational manner. We cannot just leave our wildlife alone and expect it to survive in today's crowded and complex world.

Management of our resources has become one of the hottest of issues. Cattlemen and other commercial interests wishing to utilize our public lands and our natural resources exert a great deal of pressure and make convincing arguments. The American people require the energy, food, and products which come from raw products which can be produced from the public lands. On the other side of the issue, environmental groups put equally convincing demands on the government to force other uses of certain public lands.

The Department of the Interior is one of the main points where these demands collide, where the pressures are the greatest.

One of the major conflicts is in range management, an especially important issue here in Nevada.

Contrary to what some of you may have heard, Nevada has not been singled out for intensive range management. We are applying in this State the same allotment management planning system and environmental statements we have worked out for all grazing lands.

The BLM management plan to improve resource conditions on Nevada national resource lands was announced in January.

We are seeking to find equitable tradeoffs between livestock, horses and burros, and wildlife in terms of forage allocations and habitat.

It is not our intention to force grazing animals off the land. What we seek is the application of sound grazing management principles to achieve multiple use objectives on all allotments where livestock grazing is authorized.

Let me point out that I was a farm boy, so I have some understanding of the cattlemen who feel that they are being shortchanged.

Well, I can testify that from the pressures being exerted on both sides -- our policy is somewhere in the middle. Wildlife groups are complaining that we aren't going far enough in restricting grazing.

We are determined to come up with systems which will save the land -- which will preserve the habitat -- so that we can maintain a reasonable and healthy wildlife level while providing grazing for cattle.

We will do our best to avoid hardships for those ranchers who may be especially effected by our program, but increased wildlife considerations must be and will be included in the development of the Bureau's range management program.

If we are to take adequate steps to protect and improve the range land for the sake of wildlife, and for cattle, and for the general well-being of the West, we will have to devote more money to the effort.

The BLM funds available for range improvements in fiscal 1976 amounted to less than 5 and one-half million dollars nationally, with \$860,600 for Nevada. As you know, these funds come from grazing fees.

Additionally, the Mineral Lands and Resources appropriation for 1976 gave us about \$18.5 million for grazing management on the national resource lands. Of this, Nevada received just over \$1.5 million. This is not enough for proper administration of the range management program covering over 150 million acres.

The Administration supports legislation establishing a new 30-year \$900 million program for improvement of the Federally-owned rangelands in the West.

Personally, I cannot think of a better investment.

In trying to achieve a fair and wise balance in the use of Federal lands, we welcome the advocacy of wildlife groups, and we welcome the advocacy of the cattlemen and other users of public lands. Each must fight for the allocations each believes is right. And it is our responsibility to take these arguments, these demands, and come up with the adjustments, with the compromises to provide a balance which will be best for the land, for the wildlife, for the economy, for the people of this State and the Nation. No one is going to get everything he or she thinks should go into our programs, but I would hope that we can all join together to make our programs work. If they do not work, then we will all be the losers.

Sitting as we are in the eye of the storm, those of us in the Department of the Interior may have a better view of the problems than some of our critics would have you believe.

We are in all our efforts seeking to serve the American people by developing the resources needed to preserve our standard of living and at the same time giving protection to the resources so that we do not diminish our quality of life.

Let me call to your attention two other efforts of the Ford Administration which are especially important in resource development and resource protection here in the West.

-- The Administration has developed a comprehensive Federal coal policy to permit the more rapid and orderly development of Federal coal reserves in the West. The new program ends years of uncertainty and includes a new leasing process, new standards for diligent development of Federal leases, and new and more stringent regulations governing mining and reclamation on Federal coal lands. The new regulations permit the application of State laws and regulations where they are more stringent than the Federal regulations.

-- The Administration has adopted a policy which gives the States a primary role in the allocation of critical water supplies from Federal reservoirs. We have also adopted a policy which allows the States to contract without cost for large supplies of Federal water, which the State may then subcontract to water users.

We have covered a wide range of subjects today. You now understand that if a person is not a jack of all trades at the time he is sworn in as Secretary of the Interior, he soon becomes one.

During the past nine and one-half months I have been working to find the necessary balance between resource development and resource preservation, a balance which takes into consideration all the competing uses of our resources and the essential environmental protection.

I think that we have made progress, and I certainly am optimistic that we can resolve the questions which have been mentioned here today.

These questions will be resolved by discussion of the issues by all parties, by cooperation between citizen groups and government, by cooperation between the States and the Federal government.

We do not have all the answers in Washington. We look to the people of Reno, the people of Nevada, and the people across this great land to guide us. Your organization has been a constructive force in the development of our policies, and it has been a pleasure to be with you today.

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